

**THE ATTACHED  
AMENDMENTS  
ARE TO BILLS  
THAT WILL  
BE  
HEARD ON  
HOUSE REGULAR  
CALENDAR  
TODAY  
MONDAY  
FEBRUARY 28, 2022**

Amendment No. 1 to HB1866

Farmer  
Signature of Sponsor

**AMEND Senate Bill No. 1806\***

**House Bill No. 1866**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-106(a), is amended by adding the following as a new subdivision:

( ) Whether a parent has failed to pay court-ordered child support for a period of three (3) years or more;

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1732

Hulsey  
Signature of Sponsor

**AMEND Senate Bill No. 1782**

**House Bill No. 1732\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 10, Part 1, is amended by adding the following as a new section:

(a) A constable elected under this part 1 who is under indictment for or who has been formally charged with a crime must be immediately placed on administrative leave by order of a criminal court judge.

(b) A criminal court judge:

(1) Shall hold a constable in criminal contempt who does not comply with an order issued under subsection (a) before the order is lifted, terminated, or overturned; and

(2) May suspend a constable for unethical conduct or conduct unbecoming of a constable.

(c) Upon conviction of a crime, a constable may be removed from office by order of a criminal court judge or by ouster in accordance with title 8, chapter 47.

(d) A criminal court judge may only take action under this section after providing a constable with notice and a hearing. The constable is entitled to legal representation in a proceeding held under this section.

(e) A constable may appeal the decision of a criminal court judge made under this section to the court of criminal appeals.

SECTION 2. Tennessee Code Annotated, Section 16-5-108(a), is amended by adding the following new subdivision ( ):

( ) Appeals from constables from decisions under SECTION 1.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1834

Curcio  
Signature of Sponsor

**AMEND Senate Bill No. 2103**

**House Bill No. 1834\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act is known and may be cited as "Bentley's Law."

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 2, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, if a defendant is convicted of a violation of § 39-13-213(a)(2) or § 39-13-218 and the deceased victim of the offense was the parent of a minor child, then the sentencing court shall order the defendant to pay restitution in the form of child maintenance to each of the victim's children until each child reaches eighteen (18) years of age and has graduated from high school, or the class of which the child is a member when the child reached eighteen (18) years of age has graduated from high school.

(b) The court shall determine an amount that is reasonable and necessary for the maintenance of the victim's child after considering all relevant factors, including:

- (1) The financial needs and resources of the child;
- (2) The financial resources and needs of the surviving parent or guardian of the child, including the state if the child is in the custody of the department of children's services;
- (3) The standard of living to which the child is accustomed;
- (4) The physical and emotional condition of the child and the child's educational needs;
- (5) The child's physical and legal custody arrangements; and

(6) The reasonable work-related child care expenses of the surviving parent or guardian.

(c) The court shall order that child maintenance payments be made to the clerk of court as trustee for remittance to the child's surviving parent or guardian. The clerk shall remit the payments to the surviving parent or guardian within ten (10) working days of receipt by the clerk. The clerk shall deposit all payments no later than the next working day after receipt.

(d) If a defendant who is ordered to pay child maintenance under this section is incarcerated and unable to pay the required maintenance, the defendant must have up to one (1) year after the release from incarceration to begin payment, including entering a payment plan to address any arrearage. If a defendant's child maintenance payments are set to terminate but the defendant's obligation is not paid in full, the child maintenance payments shall continue until the entire arrearage is paid.

(e)

(1) If the surviving parent or guardian of the child brings a civil action against the defendant prior to the sentencing court ordering child maintenance payments as restitution and the surviving parent or guardian obtains a judgment in the civil suit, no maintenance shall be ordered under this section.

(2) If the court orders the defendant to make child maintenance payments as restitution under this section and the surviving parent or guardian subsequently brings a civil action and obtains a judgment, the child maintenance order shall be offset by the amount of the judgment awarded in the civil action.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to offenses committed on or after that date.

House Local Government 1

Amendment No. 1 to HB2277

Crawford  
Signature of Sponsor

**AMEND Senate Bill No. 2544**

**House Bill No. 2277\***

by deleting Section 2 and renumbering the remaining section.

Amendment No. 1 to HB2655

Rudder  
Signature of Sponsor

**AMEND Senate Bill No. 2453\***

**House Bill No. 2655**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-7-1012, is amended by deleting subsection (g).

SECTION 2. Tennessee Code Annotated, Section 63-1-155, is amended by adding the following as a new subsection:

( ) Subdivision (a)(1)(A) does not prohibit a healthcare provider otherwise acting within the scope of practice of a valid license issued pursuant to this title from delivering services through the use of telehealth.

SECTION 3. Tennessee Code Annotated, Section 56-7-1003(a)(6)(A)(iii), is amended by designating the existing language as subdivision (a), adding the word "and" after the semicolon at the end of the subdivision, and adding the following as a new subdivision:

(b) The requirement of an in-person encounter between the healthcare services provider, the healthcare services provider's practice group, or the healthcare system and the patient within sixteen (16) months prior to the interactive visit is tolled for the duration of a state of emergency declared by the governor pursuant to § 58-2-107; provided, that the healthcare services provider or the patient, or both, are located in the geographical area covered by the applicable state of emergency;

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it, and applies to insurance policies or contracts issued, entered into, renewed, or amended on or after the effective date of this act.



Amendment No. 1 to HB1729

Crawford  
Signature of Sponsor

**AMEND Senate Bill No. 1677\***

**House Bill No. 1729**

by deleting Section 2 and renumbering the remaining sections accordingly.

Amendment No. 1 to HB2638

Gillespie  
Signature of Sponsor

**AMEND Senate Bill No. 2493**

**House Bill No. 2638\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 3-17-103(a)(1)(A), is amended by adding the following as a new subdivision:

(vi) In addition to the submission deadline described in subdivision (a)(1)(A)(i), a nonprofit organization seeking to operate an annual event for the benefit of that organization located in this state may submit an annual event application to the secretary within three (3) calendar days after March 30, 2022, for the annual event period beginning July 1, 2022, and ending June 30, 2023.

SECTION 2. Tennessee Code Annotated, Section 3-17-103(a)(1)(B), is amended by deleting the language "subdivisions (a)(1)(A)(ii)-(v)" and substituting instead the language "subdivisions (a)(1)(A)(ii)-(vi)".

SECTION 3. Tennessee Code Annotated, Section 3-17-103(b), is amended by adding the following language as a new appropriately designated subdivision:

(6) In addition to the omnibus listing transferred to the clerk of the senate and the clerk of the house of representatives pursuant to subdivision (b)(1), the secretary shall transfer an additional omnibus listing of organizations approved pursuant to subdivision (a)(1)(A)(vi) for the annual event period beginning July 1, 2022, and ending June 30, 2023. The list must be transferred in a manner consistent with subdivision (b)(1) by twelve o'clock (12:00) noon central daylight time (CDT) within five (5) calendar days after March 30, 2022.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2240

Freeman  
Signature of Sponsor

**AMEND Senate Bill No. 2307**

**House Bill No. 2240\***

by deleting from SECTION 1(vi) the language "March 9, 2022" and substituting "March 23, 2022".

**AND FURTHER AMEND** by deleting from SECTION 3(6) the language "March 9, 2022" and substituting "March 23, 2022".

Amendment No. 1 to HB1853

Vaughan  
Signature of Sponsor

**AMEND Senate Bill No. 1780\***

**House Bill No. 1853**

by deleting SECTIONS 7 and 8 and substituting:

SECTION 7. Tennessee Code Annotated, Section 50-1-703(a)(1)(B)(ii), is amended by deleting subdivision (c) and substituting:

(c) Maintain an E-Verify case result for each employee that shows that the employee is authorized to work, whether on the E-Verify Quick Audit Report, the E-Verify User Audit Report, or the individual employee E-Verify case verification result. The E-Verify case result must be visible showing the work authorization status.

SECTION 8. If a provision of this act or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 9. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1688

Keisling  
Signature of Sponsor

**AMEND Senate Bill No. 1686**

**House Bill No. 1688\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by adding the following new section:

(a) Beginning January 1, 2023, there is created a common carrier license to be issued by the commission to a person, firm, or corporation that transports goods for a fee, and maintains a regularly established schedule of service within this state to transport wine from a person licensed under § 57-3-217 or § 57-3-415 directly to the citizens of the state who are twenty-one (21) years of age or older. Each applicant shall pay to the commission a one-time, nonrefundable fee in the amount of three hundred dollars (\$300) when the application is submitted for review. A license under this section must not be issued until the applicant has paid to the commission the annual license fee of one thousand dollars (\$1,000).

(b) A common carrier shall only transport wine to individuals over twenty-one (21) years of age and in accordance with § 57-3-217. It is a violation for a common carrier, their employees, agents, or contractors, upon the time of final delivery to the individual, to not inspect a valid government-issued identification for proof the individual is twenty-one (21) years of age or older.

(c) This section does not apply to common carriers regulated under 49 U.S.C. §§ 10101 et seq., or to rail trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as defined in 49 CFR § 1090.1, or highway TOFC/COFC service provided by a rail carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight

transportation, including, without limitation, any other TOFC/COFC transportation as defined under federal law.

(d) The commission may make such investigations and inspections necessary to administer this part.

SECTION 2. Tennessee Code Annotated, Section 57-3-217, is amended by deleting subsection (g) and substituting:

(g)

(1)

(A) It is an offense for a person to ship alcoholic beverages or beer to residents of this state without a license authorizing such activity.

(B) A violation of subdivision (g)(1)(A) is a Class E felony, punishable by a fine only.

(2)

(A) All shipments of alcoholic beverages or beer made in this state must be by face-to-face delivery to individuals who provide proof satisfactory that they are over twenty-one (21) years of age and sign upon receipt.

(B) A violation of subdivision (g)(2)(A) is a Class B misdemeanor, punishable by a fine only.

SECTION 3. For the purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. Section 2 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2023, the public welfare requiring it.

Amendment No. 1 to HB2414

Crawford  
Signature of Sponsor

**AMEND Senate Bill No. 2165\***

**House Bill No. 2414**

by adding the following subsection at the end of SECTION 1:

A local government entity may opt out of the requirements of this section upon passage of a resolution by a simple majority vote of the entity's governing body.

Amendment No. 1 to HB0753

White  
Signature of Sponsor

**AMEND Senate Bill No. 503\***

**House Bill No. 753**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) For the purposes of providing services in a school setting pursuant to a child's individualized education program (IEP), the following healthcare providers licensed pursuant to this title may refer or order services within their scope of practice as part of a child's IEP:

(1) A physical therapist licensed under chapter 13 of this title may order or make a referral for physical therapy services for a child, and qualifies as a licensed practitioner of the healing arts for the purpose of 42 C.F.R. 440.110(a)(1);

(2) An occupational therapist licensed under chapter 13 of this title may order or make a referral for occupational therapy services for a child, and qualifies as a licensed practitioner of the healing arts for the purpose of 42 C.F.R. 440.110(b)(1);

(3) A speech-language pathologist licensed under chapter 17 of this title may order or make a referral for speech-language pathology services for a child, and qualifies as a licensed practitioner of the healing arts for the purpose of 42 C.F.R. 440.110(c)(1); and



(4) An audiologist licensed under chapter 17 of this title may order or make a referral for audiology services for a child, and qualifies as a licensed practitioner of the healing arts for the purpose of 42 C.F.R. 440.110(c)(1).

(b) An order or referral made in accordance with this section may be evidenced by the signature of the healthcare provider in the student's IEP provided that the child has been appropriately evaluated and assessed by the provider making the referral or order.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

Amendment No. 2 to HB0753

Hazlewood  
Signature of Sponsor

**AMEND Senate Bill No. 503\***

**House Bill No. 753**

by deleting the effective date section and substituting instead the following:

SECTION \_\_. This act takes effect July 1, 2022, the public welfare requiring it.

**AND FURTHER AMEND** by deleting the language "student's IEP provided that" in SECTION 1(b) and substituting instead the language "student's IEP; provided, that".

Amendment No. 1 to HB2659

Keisling  
Signature of Sponsor

**AMEND Senate Bill No. 2204\***

**House Bill No. 2659**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 9, is amended by adding the following new section:

An entity that contracts with the authority shall report the following information to the state building commission, the speaker of the senate, and the speaker of the house of representatives on the first day of each calendar month regarding the execution of a contract with a subcontractor or third party in the immediately preceding calendar month and for each such contract that the entity anticipates executing during the month in which the report is submitted:

- (1) The name of each business or third-party entity that is a party to such a contract;
- (2) The operational location of each entity identified in subdivision (1) and where such entity is incorporated;
- (3) Whether such entity is a member of or associated with a union or labor association; and
- (4) The number of persons employed by such entity and the percentage of such employees who are residents of this state.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB0563

Curcio  
Signature of Sponsor

**AMEND Senate Bill No. 472**

**House Bill No. 563\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-302(e)(1), is amended by deleting the subdivision and substituting the following:

(1) Where the collateral pledged is cash, or an item readily converted to cash such as a certificate of deposit, the professional bondsman's capacity must be at least twenty (20) times the amount of the collateral pledged;

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1848

White  
Signature of Sponsor

**AMEND Senate Bill No. 2003**

**House Bill No. 1848\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-202, is amended by deleting subsection (d) and substituting instead the following:

(d) The compensation of members of the county board for the members' services when attending regular and special meetings and discharging the duties imposed by this title shall not exceed the compensation fixed for members of the county legislative body and must be included in the school district budget submitted to the county legislative body. A school board member's compensation shall not be reduced from the prior year. The county trustee shall not pay a voucher issued to members unless the voucher has been approved by the county mayor. A board member shall not receive less than four dollars (\$4.00) per day for the member's services.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.